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*Attorneys for Plaintiff and the putative class*

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND DIVISION**

BRIAN GLAUSER, individually and on behalf of all others similarly situated,

*Plaintiff,*

γ

GROUPME, INC., a Delaware corporation,

*Defendant.*

Case No. 4:11-cv-02584-PJH

## **DECLARATION OF BRIAN GLAUSER**

1 Pursuant to 28 U.S.C. § 1746, I hereby declare and state as follows:

2       1. I am over the age of eighteen and am fully competent to make this declaration. I  
3 make this declaration based upon personal knowledge unless otherwise indicated.

4       2. I am the named plaintiff in the above-captioned matter.

5       3. On April 23, 2011, I was added to the GroupMe group “Poker.” After being  
6 added, I received multiple text messages from GroupMe, including a text message that was the  
7 same or substantially similar to the following: “GroupMe is a group texting service. Standard  
8 SMS rates may apply. Get the app at <http://groupme.com/a> to chat for free. Reply #exit to quit or  
9 #help for more.”

10       4. Prior to being added to the “Poker” group, I never asked to join the group, never  
11 consented to receive text messages within it, never provided GroupMe or Twilio my telephone  
12 number, never gave GroupMe or Twilio permission to send me text messages utilizing an  
13 automatic telephone dialing system, and never gave the “Poker” group creator, Mike Lambert,  
14 consent to receive text messages from or on behalf of GroupMe.

15       5. I brought this class action to put an end to GroupMe’s improper text messaging  
16 practices and to obtain the relief to which the proposed Class and I are entitled.

17       6. I have been actively engaged in the litigation of this matter throughout its  
18 pendency and have at all times been willing to devote the time and other resources necessary to  
19 appropriately represent both myself and the proposed Class members in this case.

20       7. In particular, I am in regular communication with my counsel regarding this  
21 matter, my experiences with the text message calls and parties in question, and my views of the  
22 claims at issue. I have also responded to written discovery, provided GroupMe with various  
23 documents, and reviewed numerous documents in this matter, including, but not limited to, the  
24 complaint and responses to written discovery requests.

25       8. As a result, I have a full understanding of this case and my duties as class  
26 representative, and I am committed to acting in the Class’s best interests.

1           9. I remain ready and willing to dedicate such additional time and resources as are  
2 necessary to see this litigation through any additional motion practice, discovery, trial and any  
3 appeals.

4 \* \* \*

6 | Executed this 28 day of August 2014 at 3:47 pm, Richmond, VA

Brian Glauser